

**DATE:** September 23, 2021

**TO:** Mayor and Members of Council

**FROM:** Haiqing Xu, Deputy City Manager, Planning and Growth Management

**RE:** **COUNCIL COMMUNICATION – September 27, 2021**

**Item #16, Report #39**

**APPEAL TO SIGN VARIANCE APPLICATION SV 20-004**

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### **Purpose**

To provide Council the results of the staff meeting that was held with Mr. Rav Banwait, the sign variance applicant (Applicant).

### **Recommendation**

1. That Council uphold the recommendation of the Sign Variance Committee and Notice of Decision to REFUSE sign variance application SV 20-004.

### **Background**

At the September 14, 2021 Committee of the Whole meeting, council directed staff to work with the Applicant to try and find an acceptable resolution to the sign variances appealed to Council.

On October 22, 2020 the Director of Building Standards and Chief Building Official accepted the recommendations of the sign variance committee and refused three variances to the sign by-law for a billboard sign at 251 Doney Crescent. The Applicant appealed the decision to Council. The three variances that were refused are summarized as follows:

1. A proposed sign face area of 61.32 sqm for each of two faces, whereas the by-law only permits a sign face area of 20 sqm for each sign face.
2. A proposed sign height of 13.2m, whereas the by-law only permits a sign height of 8m.
3. The proposed sign location of 191m from another billboard to the east and 472m from another billboard sign to the west, whereas the by-law requires a minimum distance between signs of 600m.

On September 20, 2021 staff met with the Applicant to review the variances requested and to try and arrive at variances that could be supported by staff. The applicant requested staff support for a sign 13.2m in height having a sign face area of 36.3 sqm for each of two faces and located 191m from another billboard sign to the east and 472m from another billboard sign to the west. Staff Informed the applicant that they were only prepared to support minor variances to the sign face size and sign height as

there was sufficient justification to warrant the request. Minor variances to these parameters in the range of 10% were considered reasonable by staff but were not acceptable to the applicant. Staff could not support the variance to having the sign located within 191m of another billboard sign. While other locations were considered on the property, none of these locations would have improved the distance to another billboard sign to be considered minor

During the September 14, 2021 Committee of the Whole meeting, reference was made to signs at three locations, 2800 Rutherford Rd, 2268 HWY 7, and 50 Queen Filomena Ave. These signs were not approved through the sign variance process. Council authorized staff to utilize Section 23.1 of the Sign By-law which allows for exemptions to the City's Sign By-law.

As directed by Council, staff meet with the applicant to try and resolve the variances. Staff informed the Applicant that the variances requested at the meeting would not be considered minor and therefore could not be supported. Staff continue to recommend refusal of the application.

For more information, contact Ben Pucci, Director of Building Standards, ext. 8872.

Respectfully submitted by

A handwritten signature in cursive script, appearing to read "Haiqing Xu".

Haiqing Xu  
Deputy City Manager, Planning and Growth Management